

Court of Appeals, Division One
Civil Appeal

1 CA-CV 15-0384

HACKETT v. HACKETT

Appellate Case Information

Case Filed: 12-Jun-2015
Case Closed:

Dept/Composition

Department C

Hon. Diane M Johnsen
Hon. Jon W Thompson

Consolidated with: 1 CA-CV 15-0263

Side 1. DONALD HACKETT; DENNIS HACKETT, Plaintiff/Appellee

(Litigant Group) DONALD HACKETT

• Donald Hackett

Attorneys for: Plaintiff/Appellee

Mark W Drutz, Esq. (AZ Bar No. 6772)
Jeffrey Gautreaux, Esq. (AZ Bar No. 28104)

(Litigant Group) DENNIS HACKETT

• Dennis Hackett PRO SE

(Litigant Group) LARRY HACKETT

• Larry Hackett PRO SE

(Litigant Group) TERRY HACKETT

• Terry Hackett PRO SE

Side 2. JAMES HACKETT, Defendant/Appellant

(Litigant Group) JAMES HACKETT

• James Hackett PRO SE

CASE STATUS

Dec 12, 2016....Pending Closure

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
YAV V1300CV201380282	Partition of Real Property		Jeffrey G Paupore, Authoring Judge of Order		

OPEN DUE DATE

Petition for Review to ASC due

Due By: Tuesday, December 27, 2016

*Re: * ORDERED: Motion for Reconsideration of Decision (Appellant) = DENIED. ALSO ORDERED: Appellees Motion for Reconsideration of Order Granting Motion to Extend Time by Fourteen Days to File Motion for Reconsideration of Decision (Appellee) = DENIED as moot.*

CASE DECISION

06-Oct-2016 MEMORANDUM DECISION

(1 CA-CV 15-0384: Appeal Dismissed In Part; Vacated In Part and Remanded; 1 CA-CV 15-0263: Affirmed)

Filed: **06-Oct-2016**

Mandate:

Jon Thompson.....Author
Diane Johnsen.....Concur
Michael Brown.....Concur

Decision Disposition

Dismissed in Part
Vacated in Part
Remanded
Affirmed

DECISION APPLIES TO THE FOLLOWING OTHER CASE(S)

1 CA-CV 15-0263

HACKETT v. HACKETT

28 PROCEEDING ENTRIES

1. 12-Jun-2015 FILED: Index of Record, Notice of Appeal from Yavapai County Superior Court filed 05/12/15

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2. 12-Jun-2015 FILED: e-Record on Appeal: Instruments/Minute Entries
e-Exhibits: HD 7/1/14 - List and # 7 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 31 36 45 60 61; Reporter's Transcript - 12/1/14 (Christine Anne Olesek)
3. 16-Jun-2015 FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4. 16-Jun-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record
5. 1-Jul-2015 RECEIPT No.: 2015-00904 ; \$280.00, Check Number: 1529, Applied to: JAMES HACKETT - Class A Filing Fee (\$280.00) Paid for: JAMES HACKETT - By Michael W Pierce (Memo: CV 15-0384)
6. 2-Jul-2015 FILED: Appellee's Notice re: Both Appellees Fees Due/Appellant's Brief Due
7. 6-Jul-2015 FILED: Case Management Statement (Appellant Pro Per)
8. 18-Aug-2015 FILED: Appellant's Opening Brief (Pro Per)
9. 19-Aug-2015 FILED: Motion to Extend Time by One Day to File Opening Brief; Certificate of Service (Appellant James Hackett, Pro Per)
10. 20-Aug-2015 ORDERED: Motion to Extend Time by One Day to File Opening Brief (Appellant) = GRANTED and accepting brief as filed on 8/18/15. Melina Brill ProTem Judge - Author
11. 20-Oct-2015 ORDERED: (To date, court has not received answering briefs or a request for an extension of time to file briefs. In addition, appellees have not paid filing fees) answering briefs shall be filed on/before 11/2/15. Appellees must pay filing fees before filing briefs. If not timely filed, appeal will be submitted for decision on record and opening brief. Melina Brill ProTem Judge - Author
12. 29-Oct-2015 FILED: Notice of Payment of Filing Fee; Certificate of Service and Filing (Appellee Donald Hackett)
13. 2-Nov-2015 FILED: Appellee Donald Hackett's Answering Brief; Certificate of Compliance; Certificate of Service and Filing (Appellee Donald Hackett)
14. 4-Nov-2015 RECEIPT No.: 2015-01534 ; \$140.00, Authorization: #07017509158, Applied to: DONALD HACKETT - Class B Filing Fee (\$140.00) Paid for: Musgrove Drutz Kack & Flack PC - By Integrated Resource Systems IN
15. 12-Nov-2015 ORDERED: (Court's Own Motion) amending caption in this appeal by adding Larry Hackett and Terry Hackett as appellees. FURTHER ORDERED: Larry Hackett and Terry Hackett may each file an answering brief on/before 12/14/15. These appellees must each pay filing fee of \$140 before filing answering brief. FURTHER ORDERED: Vacating 11/30/15 due date for reply brief. If Larry Hackett and/or Terry Hackett file an answering brief, reply brief shall be due w/in 20 days after service of such answering brief. In event no additional answering briefs are filed, reply brief shall be due on 1/8/16. Melina Brill ProTem Judge - Author
16. 14-Jan-2016 FILED: Motion to Extend Time by Fourteen Days to File Reply Brief; Certificate of Service by Mail (Appellant)
17. 15-Jan-2016 ORDERED: Motion to Extend Time by Fourteen Days to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Friday, 01-08-2016 to Friday, 01-22-2016. Barbara Vidal Vaught ProTem Judge - Author
18. 19-Jan-2016 FILED: Corrected Certificate of Service by Mail (Appellant)
19. 22-Jan-2016 FILED: Appellant James Hackett's Reply Brief; Appellant James Hackett's Reply Brief (duplicate); Appellant James Hackett's Reply Brief (duplicate) (Appellant, Pro Per)
20. 23-Jan-2016 FILED: Certificate of Compliance (re: Reply Brief); Certificate of Service by Mail (re: Reply Brief) (Appellant)
21. 28-Apr-2016 ORDERED: Consolidating above appeals under 1 CA-CV 15-0263. FURTHER ORDERED: Striking 1 CA-CV 15-0263 from Department A's 5/10/16 calendar and returning consolidated appeals to Clerk of this court for reassignment to next available civil calendar. Hon Margaret H Downie - Author
22. 7-Jul-2016 CLNDR: CONFERENCE, Department C, 9-14-16, COURTROOM 1.
23. 6-Oct-2016 FILED: Memorandum Decision Distribution List
24. 6-Oct-2016 MEMORANDUM DECISION (1 CA-CV 15-0384: Appeal Dismissed In Part; Vacated In Part and Remanded; 1 CA-CV 15-0263: Affirmed) Hon Jon W Thompson - Author; Hon Diane M Johnsen - Concur; Hon Michael J Brown - Concur

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28 PROCEEDING ENTRIES

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| 25. | 27-Oct-2016 | ORDERED: Motion to Extend Time by Fourteen Days to File Motion for Reconsideration of Decision (Appellant) = GRANTED. Due date EXTENDED from Friday, 10-21-2016 to Wednesday, 11-16-2016. Hon Jon W Thompson - Author |
| 26. | 16-Nov-2016 | FILED: Motion for Reconsideration of Decision; Certificate of Compliance; Certificate of Service by Mail (Appellant) |
| 27. | 5-Dec-2016 | ORDERED: awarding Defendant/Appellee his costs in the amount of \$140.00. Amy M Wood - Author |
| 28. | 12-Dec-2016 | ORDERED: Motion for Reconsideration of Decision (Appellant) = DENIED. ALSO ORDERED: Appellees Motion for Reconsideration of Order Granting Motion to Extend Time by Fourteen Days to File Motion for Reconsideration of Decision (Appellee) = DENIED as moot. Hon Jon W Thompson - Author |